



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/072,052	02/08/2002	Karl R. Leinsing	IVACP-56914	1182	
24201	7590 03/18/2004		EXAMINER		
FULWIDER PATTON LEE & UTECHT, LLP HOWARD HUGHES CENTER			BIANCO, I	BIANCO, PATRICIA	
6060 CENT		ART UNIT	PAPER NUMBER		
TENTH FLOOR LOS ANGELES, CA 90045			3762	6	
			DATE MAILED: 03/18/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Tom MalLing DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply   A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.   Short State   Short Sta			Application No.	Applicant(s)	- de			
Examiner	٢	•						
Patricia M Bianco  3762  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION.  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the period for reply specified above is test ban theiry (20) days, a reply with the statistory minimum of theiry (30) days will be considered timely.  If the period for reply specified shows the maintermentations.  If the period for reply specified shows the maintermentations of the statistory priod will apple story in the statistory priod will apple story will be considered timely.  If the period for reply specified shows the maintermentation of the statistory priod will apple will will be statistically apple to the statistory priod will apple will will be statistically apple to the statistic priod will be statistically apple and the statistic priod will be statistically apple to the statistic priod will be statistically apple to the statistic priod will be statistically apple to the statistic priod will be statistically apple apple statistics.  Application of Claims  4) Claim(s) 1-41 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on instance is statistically apple to the statistical prior the	Office Action Summary		<u> </u>					
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of imm may be available under the provisions of 3 CFR 1.75(a). In or event, however, may a reply be limely filed  If the period for reply specified above is less than thely (30) days, a reply within the statutory minimum of thiny (30) days, will be considered timely.  If the period for reply specified above is less than thely (30) days, a reply within the statutory printing of the period for reply villow the statutory printing and specified to become ASANDONED (38 U.S. 5 133).  If No period for reply specified above, the maximum statutory period will be payed and let get by (5) (m MONTS form the realing date of this communication, even it then provided and the communication, even it then provided and payed and let get so (5) (m MONTS form the realing date of this communication, even it then provided and payed and payed and the payed and pay		The MAILING DATE of this communication						
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1) Responsive to communication(s) filed on <u>08 February 2002</u> 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☐ Claim(s) <u>1-41</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) <u>1-41</u> are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * o ☐ None of: 1. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.  Altachment(s) 1) ☐ Notice of Praftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1430 or PTO/SB06)  Altachment(s) 1) ☐ Notice of Traftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1430 or PTO/SB06)	THE - External control	MAILING DATE OF THIS COMMUNICATIOnsions of time may be available under the provisions of 37 CF SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days, operiod for reply is specified above, the maximum statutory pure to reply within the set or extended period for reply will, by sreply received by the Office later than three months after the	ON. FR 1.136(a). In no event, however, may a son. a reply within the statutory minimum of thin eriod will apply and will expire SIX (6) MON statute, cause the application to become Al	reply be timely filed ty (30) days will be considered timely. NTHS from the mailing date of this communication BANDONED (35 U.S.C. § 133).	on.			
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Art Unit: 3762

## **DETAILED ACTION**

## Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species A: figure 9

Species B: figures 9 with 15

Species C: figure 13

Species D: figures 13 with 15

Species E: figures 9 with 16

Species F: figures 9 with 17

Species G: figures 9 with 15 & 16

Species H: figures 9 with 15 & 17

Species I: figures 13 with 16

Species J: figures 13 with 17

Species K: figures 13 with 15 & 16

Species L: figures 13 with 15 & 17

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is considered generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia M Bianco whose telephone number is (703) 305-1482. The examiner can normally be reached on Monday to Friday 9:00-6:30, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (703) 308-5181. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 10/072,052

Art Unit: 3762

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 16<sup>th</sup>, 2004

Patricia M Bianco Primary Examiner Art Unit 3762 Page 4